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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/564,499	07/14/2006	Laurent Blonde	PF030116	9875
24498	7590	11/06/2008	EXAMINER	
Joseph J. Laks			HOWARD, RYAN D	
Thomson Licensing LLC			ART UNIT	PAPER NUMBER
2 Independence Way, Patent Operations				2851
PO Box 5312				
PRINCETON, NJ 08543				
MAIL DATE		DELIVERY MODE		
11/06/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/564,499	BLONDE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	RYAN HOWARD	2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 12 January 2006.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-10 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-10 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 12 January 2006 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date 1/12/2006.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_.

## **9DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

A single means claim, i.e., where a means recitation does not appear in combination with another recited element of means, is subject to an undue breadth rejection under 35 U.S.C. 112, first paragraph. *In re Hyatt*, 708 F.2d 712, 714-715, 218 USPQ 195, 197 (Fed. Cir. 1983) (A single means claim which covered every conceivable means for achieving the stated purpose was held nonenabling for the scope of the claim because the specification disclosed at most only those means known to the inventor.).

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Shigeta (US 2001/0055081 A1).

Regarding claim 1, Shigeta teaches a display device in which the colour at a point is obtained by the combination of at least one first and one second primary colours, wherein the display device comprising means for modifying the hue of the first primary colour (31, 32, figure 1).

Regarding claim 2, Shigeta further teaches a means of reception of a video signal (7, figure 1), and a means of determination of the hue of the first primary colour as a function of the video signal (8, figure 1).

Regarding claim 3, Shigeta teaches a display device comprising a means of generation of a periodic coloured beam (31, 32, figure 1) and means of modulation of the coloured beam as a function of a received video signal (2, figure 1), the coloured beam taking successively at each period a plurality of primary colours, wherein the display device comprising means for modifying the hue of at least one of the said primary colours (31, 32, figure 1).

Regarding claim 4, Shigeta further teaches a means of determination of the said hue as a function of the received video signal (8, figure 1).

Regarding claim 5, Shigeta further teaches the means of generation comprise a first and second coloured wheels successively traversed by a luminous beam (figure 2), each coloured wheel carrying a plurality of coloured filtering sectors and being driven in rotation (31, 32R-W, figure 2), and in which the position of the second coloured wheel relative to the first coloured wheel is variable (paragraphs 0079-0080).

Regarding claim 6, Shigeta further teaches means of determination of the said position as a function of the received video signal (paragraph 0081).

Regarding claim 7, Shigeta further teaches means of processing the video signals received as a function of the said hue (paragraph 0096).

Regarding claim 8, Shigeta further teaches the means of processing generate data intended for the means of modulation (8a, 8b, figure 1).

Regarding claim 9, Shigeta teaches a means of generation of a coloured beam (31, 32, figure 1), and means of modulation of the coloured beam (2, figure 1), the means of modulation generating during a determined duration an image to be displayed in a determined colour (paragraph 0067), wherein the coloured beam takes successively at least two distinct colours during the determined duration so as to obtain the determined colour as a resultant (paragraph 0067).

Regarding claim 10, Shigeta teaches the coloured beam takes one at least of the said distinct colours for a variable duration so as to vary the said determined colour (paragraph 0067, 0105).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Belliveau (6,827,451 B2) teaches a three color modulation system with color filters for each of the three colors to further increase color purity. Allen et al. (US Patent 7,283,181 B2) teaches a two color wheel system wherein one of the color wheels can be moved into and out of the optical path.
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN HOWARD whose telephone number is (571)270-

5358. The examiner can normally be reached on Monday-Friday 7:30-5:00, First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diane Lee can be reached on (571)272-2399. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/William C. Dowling/  
Primary Examiner, Art Unit 2851

/Ryan Howard/  
Examiner, Art Unit 2851  
10/30/2008